REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

Group I: Claims 1-8, 14, 15, 19-21, drawn to a method for assessing the risk of drug-induced granulocytopenia, the method comprising detecting a polymorphism of the human insulin receptor substrate-2 gene of a subject, and determining the presence of the risk of drug-induced granulocytopenia of a subject by use of the genetic polymorphism as an index; and

Group II: Claims 9-13 and 16-18, drawn to oligonucleotides and kits for detecting polymorphisms in the human insulin receptor substrate-2 gene.

Please be advised that the instant application contains 22 pending claims and that claim 22 has not been included in either of the above groups. In view of the fact that Claim 22 is dependent on Claim 3, it will be presumed that it should have been included in Group I.

Applicants provisionally elect Group I, Claims 1-8, 14, 15 and 19-21, drawn to a method for assessing the risk (as above), with traverse on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified groups. Also, it has not been shown that a burden exists in searching the claims of the two groups.

Moreover, the M.P.E.P. § 803 states as follows:

> "If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions."

Applicants respectfully submit that a search of all of the claims would not impose a serious burden on the Office.

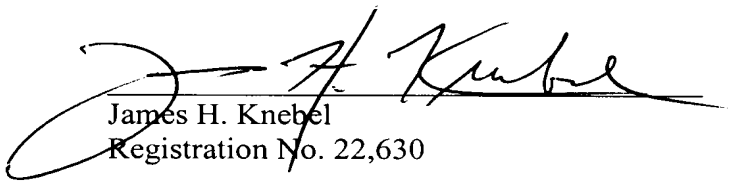
Additionally, Applicants elect as a single species the genetic polymorphism of (e), i.e., A29793G. Claim 4 is drawn to a method for determining the presence of the risk of drug-induced granulocytopenia by detecting at least one of six genetic polymorphisms, i.e., (a) to (f), presenting in a human insulin receptor substrate-2 gene. Therefore, the determining effect is not different due to the difference among genetic polymorphisms. Moreover, the invention of Claim 4 is not directed to nucleic acid sequences having different structures or functions. Accordingly, it is argued that the election of species requirement be withdrawn by the Examiner.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



James H. Knebel
Registration No. 22,630

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)